

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Thomas R. Coolidge

Serial No.: 09/982,978

Filed: October 22, 2001

For: Treatment of Hibernating Myocardium and Diabetic Cardiomyopathy with a GLP-1 Peptide

Examiner: Michael V. Meller

Group Art Unit: 1654

Confirmation No.: 7246

Atty. Docket No. 0211-UTL-9

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JUN 02 2004

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## FACSIMILE TRANSMISSION COVER SHEET

Certificate of Transmission Under 37 C.F.R. 1.8

I hereby certify that the following listed correspondence in the above referenced application is being transmitted by facsimile to the Commissioner for Patents, Washington DC to telephone number (703) 872-9306 on this 2nd day of June, 2004.

  
Amanda Halverson

Document	No. of Pages
Notice of Appeal and Petition for Extension of Time	1
Associate Power of Attorney	1
Fee Transmittal Form (PTO/SB/17) in duplicate	2

Total Number of Pages Transmitted (including this page)

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5

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Attorney Docket No. 0211-UTL-9

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**NOTICE OF APPEAL AND PETITION FOR EXTENSION OF TIME**

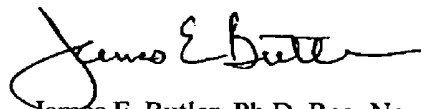
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

Applicant hereby petitions for a two month extension of time under 37 C.F.R. 1.136(a) to file this Notice of Appeal in response to the final Office action of January 21, 2004.

The Commissioner is hereby authorized to charge Deposit Account No. 01-0535 \$165.00, the amount set forth in 37 CFR 1.17(b) for the Notice of Appeal, and \$210.00, the amount set forth in 37 CFR 1.17(a)(2) for the extension of time. Applicant believes that no additional fees are due with this response. If the Applicant is in error, the Commissioner is hereby authorized to charge any underpayment or credit any overpayment to the above-referenced deposit account.

Respectfully submitted,



James E. Butler, Ph.D. Reg. No. 40,931

AMYLIN PHARMACEUTICALS, INC.  
9360 Towne Centre Drive  
San Diego, CA 92121  
Voice: (858) 458-8564  
Fax: (858) 522-1936

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 375.00

**Complete if Known**

Application Number	09/982,978
Filing Date	October 22, 2001
First Named Inventor	Thomas R. Coolidge
Examiner Name	Michael V. Meller
Art Unit	1654
Attorney Docket No.	0211-UTL-9

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:

Deposit Account Number	01-0585
Deposit Account Name	Amylin Pharmaceuticals

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$ ) 0

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ ) 0

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	210
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	165
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 375

**SUBMITTED BY**

Name (Print/Type)	James E. Butler	Registration No. (Attorney/Agent)	40,931	Telephone	858-458-8564
Signature		Date	2 June 2004		

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-03)

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